

Preliminary Amendment

National Stage Entry of PCT/JP03/015882
Attorney Docket No.: Q88235

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1. (original): A method for selecting an *Escherichia coli* strain which highly expresses an exogenous gene, comprising selection using the intensity of stress response as an index.
2. (original): The selection method according to claim 1, wherein the stress response is hydrogen peroxide decomposition activity.
3. (currently amended): The selection method according to claim 1, wherein the strain to be selected is one where an exogenous gene whose expression tends to decrease by causes other than loss or mutation of a plasmid when introduced into an *Escherichia coli* is highly expressed.
4. (original): An *Escherichia coli* strain which highly expresses an exogenous gene, the strain being selected using the intensity of stress response as an index.
5. (original): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 4, wherein the stress response is hydrogen peroxide decomposition activity.
6. (currently amended): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 4, wherein an exogenous gene whose expression tends to decrease by causes other than loss or mutation of a plasmid when introduced into an *Escherichia coli* is highly expressed.

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7. (currently amended): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 4, wherein the initial amount of gene expression is maintained or enhanced during subculture when a gene, whose expression amount in other *Escherichia coli* strains is reduced to half the initial expression amount during 30 subculture generations, is expressed in the strain.

8. (currently amended): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 6 , wherein the exogenous gene whose expression decreases by causes other than loss or mutation of a plasmid is a gene of an ammonia lyase.

9. (original): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 8, wherein the expression gene of an ammonia lyase is a gene of phenylalanine ammonia lyase.

10. (original): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 9, wherein the gene of phenylalanine ammonia lyase is derived from a plant.

11. (original): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 10, wherein the plant is *Lithospermum erythrorhizon*.

12. (currently amended): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 4, wherein the *Escherichia coli* strain is derived from K12 strain.

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13. (original): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 12, wherein the *Escherichia coli* strain is derived from XL1-Blue strain.

14. (original): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 13, wherein the *Escherichia coli* strain is *Escherichia coli* SD840 strain.

15. (original): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 14, wherein the *Escherichia coli* strain is a derivative strain obtained from *Escherichia coli* SD840 strain by clone selection or gene manipulation.

16. (original): *Escherichia coli* SD840 strain (Deposit No. FERM BP-08546).

17. (currently amended): A process for producing an enzyme, comprising expressing the exogenous gene of the *Escherichia coli* strain which highly expresses the exogenous gene according to claim 4.

18. (currently amended): A process for producing a compound, comprising reacting a treating solution containing the *Escherichia coli* strain which highly expresses the exogenous gene according to claim 4 or an enzyme thereby produced with a substrate of the enzyme.

19. (original): The process for producing a compound according to claim 18, wherein the enzyme is an ammonia lyase, the substrate is an unsaturated carboxylic acid, and the resulting compound is an L-amino acid and/or its derivatives.